

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, JULY 28, 2016

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

August 5, 2016 at 1:00 p.m.:

- a. Hamdi International Grocery Store, 132 Orange Street, Manchester, NH.
Retail Tobacco License #136917 issued pursuant to RSA 178:19-a.
Cited for violation of RSA 178:2, V – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: April 21, 2016.
Case #: 16-155-OF.

August 12, 2016 at 10:00 a.m.:

- b. Ikko Japanese Restaurant, 879 Central Avenue, Dover, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1499303 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Date of violation: November 7, 2015.
Case #: 15-459-OF.
6/9/16 - ASSENTED-TO MOTION TO CONTINUE FILED BY THE DOE AND GRANTED; NEW HEARING DATE TO BE DETERMINED.

September 9, 2016 at 10:00 a.m.:

- c. New Campus Convenience, 32 Main Street, Durham, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3229147 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage individual.
Date of violation: April 21, 2016.
Case #: 16-140-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

Rosa Cannolli Flamingo, 2312 Main Street, Bethlehem, NH.
Restaurant Full Service With Lounge License #436203 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: July 10, 2015.
Case #: 15-294-OF.
An administrative fine of \$500, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended on the patio where service occurred for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing August 4, 2016 and re-granted on August 6, 2016.
COMMISSION ACKNOWLEDGED.

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

- a. Crown Hill Market, 89 Allds Street, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3343147 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:2, V – failed to attend a required training program within 45 days of the issuance of the liquor license.

Date of violation: June 20, 2016.

Case #: 16-222-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

- b. Gin Gin Restaurant, 8 Maple Street, Henniker, NH.
Restaurant Full Service With Lounge License #1355103 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:50, II – unlawful purpose; allowed smoking on the premises.
Date of violation: July 8, 2016.
Case #: 16-249-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. Hamdi International Grocery Store, 132 Orange Street, Manchester, NH.
Retail Tobacco License #136917 issued pursuant to RSA 178:19-a.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premise.
Date of violation: July 1, 2016.
Case #: 16-237-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- d. Rig A Tony's Italian Take Out, 38 West Broadway, Derry, NH.
Restaurant Beverage and Wine License #3338747 issued pursuant to RSA 178:20.
Cited for violation of RSA 178:2, V – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: July 8, 2016.
Case #: 16-244-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Bottles & Barrels LTD, 150 Franklin Street, Suite D, East Bridgewater, MA 02333.
To be issued Liquor and Wine Vendor License #117245 pursuant to RSA 178:9.
COMMISSION APPROVED.
- b. Cheshire Fair Association, Cheshire Fairgrounds, 247 Monadnock Highway, Swanzey, NH 03446.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor Licenses pursuant to RSA 178:22, V(l).
Event dates: 8/4-7/2016.
COMMISSION APPROVED.
- c. Community Oven, Inc. (The) DBA Four Pines Brewing/Community Oven, 845 Lafayette Road Units 6 & 7, Hampton, NH 03842.
To be issued Brew Pub License #2002615 pursuant to RSA 178:13.
30-Day Temporary issued 7/20/2016.
COMMISSION APPROVED.
- d. Flight Coffee of Dover LLC, 478 Central Avenue, Dover, NH 03820.
To be issued Restaurant On-Premise Beverage and Wine License #1527103 pursuant to RSA 178:20.
COMMISSION APPROVED.
- e. Hudson Old Home Days Committee, Hills House Field, 211 Derry Road, Hudson, NH 03051.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor Licenses pursuant to RSA 178:22, V(l).
Event dates: 8/11-14/2016.
COMMISSION APPROVED.
- f. Lane, Donald, 44 Putney Road, Bow, NH 03304.
To be issued Liquor and Wine Representative Off-Premise Wine and Liquor License #607935 pursuant to RSA 178:10.
COMMISSION APPROVED.

- g. Mi Jalisco 3 LLC, 19 Wilton Road, Peterborough, NH 034578.
To be issue Restaurant On-Premise Cocktail Lounge License #1529603 pursuant to RSA 178:22.
30-Day Temporary License issued: 7/20/2016.
COMMISSION APPROVED.
- h. Opera North, Colburn Park, Lebanon, NH 03766.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 8/13/2016.
COMMISSION APPROVED.
- i. Sunoco Retail LLC DBA Sunoco 7162/Optima, One Hill Farm Road, Atkinson, NH 03811.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3344847 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 7/21/2016.
COMMISSION APPROVED.
- j. Sunoco Retail LLC DBA Sunoco 1358/Optima, 23 Walton's Way, Somersworth, NH 03878.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3344747 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 7/21/2016
COMMISSION APPROVED.
- k. Wild Willow Farm Restaurant and Tavern, Inc., 149 South Road, Kensington, NH 03833.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1529103 pursuant to RSA 178:21.
30-Day Temporary license issued: 7/21/2016.
COMMISSION APPROVED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

6. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JULY 22, 2016: 1,169

ONV Washington LLC DBA Mullan Road Cellars, 1489 W. Rose Street, Walla Walla, WA 99362.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Applecrest Farm Bistro LLC, 133 Exeter Road, Hampton Falls, NH 03844.
Restaurant On-Premise Beverage/Wine/Liquor License #1503403 licensed pursuant to RSA 178:21.
Date petition received: 7/12/2016.
Requested approval for authorization of other area, to wit, an outside tented area with a capacity of 125 for event dates August 6 & 15, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Bellavance Beverage Company, Inc., 120 Northwest Boulevard, Nashua, NH 03063.
Wholesale Distributor – Off-Premise Beverage Only License #280920 licensed pursuant to RSA 178:16.
Date petition received: 7/18/2016.
Requested permission to store beverages at another location, to wit, 1000 Quality Drive, Hooksett, NH pursuant to RSA 179:49.
COMMISSION ACKNOWLEDGED.

- c. Earth Eagle Brewings LLC, 175 High Street, #6 & #7, Portsmouth, NH 03801.
Brew Pub On-Premise Cocktail Lounge License #2002315 licensed pursuant to RSA 178:13.
Date petition received: 6/29/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 40 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Fratello's Ristorante of Nashua, Inc., 194 Main Street, Nashua, NH 03060.
Restaurant On-Premise Beverage/Wine/Liquor License #1511803 licensed pursuant to RSA 178:21.
Date petition received: 7/12/2016.
Requested approval for authorization of other area, to wit, an outside street area with a capacity of 152 for event dates July 20, 2016 & August 31, 2016 and rain dates of July 21, 2016 & September 1, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Jewell Towne Vineyards, Inc., 65 Jewell Street, South Hampton, NH 03827.
Wine Manufacturer Off-Premise Wine Only License #561530 licensed pursuant to RSA 178:8.
Date petition received: 7/20/2016.
Requested approval for authorization for a tasting at a farmers' market, to wit, Portsmouth Farmers' Market, City Hall Parking Lot, Portsmouth, NH between 8:30 am and 1:00 pm from August 6, 2016 to November 5, 2016 pursuant to RSA 178:24 and RSA 179:44, II-a.
COMMISSION ACKNOWLEDGED.
- f. Le Club Alpin De Raquetteur, 175 Putnam Street, Manchester, NH 03102.
Social Club On-Premise Cocktail Lounge License #10301 licensed pursuant to RSA 178:22, V(h).
Requested approval for authorization of other area, to wit, an outside parking lot area with a capacity of 300 for event date August 14, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Mooselick Brewing Company LLC, 244 North Main Street, Troy, NH 03465.
Nano Brewery, Beer and/or Specialty Beer License #203122 licensed pursuant to RSA 178:12-a.
Date petition received: 7/19/2016
Requested approval for authorization of other areas, to wit, City of Keene Farmers' Market, Gilbo Avenue, Keene, NH every Tuesday and Saturday between 9:00 am and 1:00 pm from July, 2016 to October 30, 2016 pursuant to RSA 178:24 and Liq. 404.05; City of Keene prohibits sampling of alcoholic beverages at these events.
COMMISSION ACKNOWLEDGED.
- h. MVT Restaurant and Pub Holdings LLC DBA Fitzwilliam Inn and Lemming Pub,
62 NH Route 119 West, Fitzwilliam, NH 03447.
Restaurant On-Premise Beverage/Wine/Liquor License #1474503 licensed pursuant to RSA 178:21.
Date petition received: 7/8/2016.
Requested approval to charge a corkage fee, to wit, to charge a fee when serving a bottle of wine brought in by a customer, to be stored separately from licensed alcohol and served when requested and when a full course meal is consumed pursuant to RSA 178:21, II, a (5).
COMMISSION ACKNOWLEDGED.
- i. Stark Brewing Company, 500 Commercial Street, Manchester, NH 03101.
Brew Pub On-Premise Cocktail Lounge License #2001715 licensed pursuant to RSA 178:13.
Date petition received: 7/16/2016.
Requested approval for authorization of other areas, to wit, Manchester Community Market, Victory Park, 25 Vine Street, Manchester, NH every Thursday between 3:00 pm and 6:30 pm from July, 2016 to October 20, 2016 pursuant to RSA 178:24 and Liq. 404.05. City of Manchester prohibits sampling of alcoholic beverages at these events.
COMMISSION ACKNOWLEDGED.
- j. White Mountain Brewing Company LLC, 50 Winter Street, Ashland, NH 03217.
Nano Brewery, Beer and/or Specialty Beer License #202822 licensed pursuant to RSA 178:12-a.
Date petition received: 7/20/2016
Requested approval for authorization of other area, to wit, a tasting area with a capacity of 24 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

- a. Tio Juan's Margaritas Mexican Restaurant & Watering Hole, 1037 Elm Street, Manchester, NH. Restaurant Full Service With Lounge License #1193503 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Requested approval of a Felon Exception for Jeremy Ross Silverstein as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c). Case #: 16-190-OF. Approved on July 21, 2016.
COMMISSION ACKNOWLEDGED.
- b. Tio Juan's, 1 Bicentennial Square, Concord, NH. Restaurant Full Service With Lounge License #334803 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q). Requested approval of a Felon Exception for Benjamin J. Wilber as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c). Case #: 16-229-OF. Approved on July 21, 2016.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

11. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

Hampton, NH.

12. NOTIFICATION OF COMPLIANCE CHECKS:

TOBACCO COMPLIANCE CHECKS –

Merrimack County:

- a. Rosewood Barn General Store, 1386 Route 103, Newbury, NH. Combination Off-Premises Beverage/Wine/Tobacco #3151747 licensed pursuant to RSA 178:18/RSA 126-K:4. Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check. Date of violation: July 8, 2016. Case #: 16-243-OF. Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days from the date of the violation.
COMMISSION ACKNOWLEDGED.

Rockingham County:

- b. O'Keefe's General Store, 12 Ocean Blvd., Seabrook, NH. Combination Off-Premises Beverage/Wine/Tobacco #489447 licensed pursuant to RSA 178:18/RSA 126-K:4. Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check. Date of violation: July 19, 2016. Case #: 16-262-OF. Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days from the date of the violation.
COMMISSION ACKNOWLEDGED.

13. **COMMISSION DECISIONS PENDING AFTER HEARING:**

None

14. **NOTIFICATION OF HEARING RESULTS:**

None

15. **MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:**

- a. Champlain Orchards, Inc., 3597 Route 74 West, Shoreham, VT 05770.
Beverage Vendor License #71631 licensed pursuant to RSA 178:15.
Date petition received: 7/15/2016.
Requests approval of Murray Hill with an alcohol content of 6.37% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.

COMMISSION APPROVED.

- b. Veranda, 201 Hanover Street, Manchester, NH.
Application pending for Restaurant On-Premise Beverage/Wine/Liquor License pursuant to RSA 178:21.
Requested a Felon Exception for Tumseen S. Qureshi as a Licensee pursuant to RSA 178:4.
Case #: 16-179-OF.
Date of denial: July 19, 2016.
Recommendation: **DENIAL.**

TUMSEEN QURESHI APPEARED BEFORE THE COMMISSION TO EXPLAIN THE CIRCUMSTANCES SURROUNDING HER CONVICTION AND ASK THAT A FELON EXCEPTION BE GRANTED; DIRECTOR JAMES WILSON EXPLAINED THAT EXCEPTIONS ARE CUSTOMARILY PRESENTED TO THE CHIEF HEARINGS OFFICER FOR APPROVAL; IN THIS CASE, THE DIVISION OF ENFORCMENT HAD MANY CONVERSATIONS WITH MS. QURESHI CONCERNING HER 2-YEAR SUSPENDED SENTENCE THAT IS NOT YET COMPLETE; PURSUANT TO RSA 178:4, SHE MAY APPLY FOR A LIQUOR LICENSE FIVE (5) YEARS FOLLOWING THE COMPLETTION OF HER SENTENCE; CHAIRMAN MOLLIKA TABLED THIS ITEM FOR FURTHER REVIEW AND DISCUSSION.

16. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

- a. Annie E. Woodman Institute, Woodman Museum, 182 Central Avenue, Dover, NH 03820.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 7/23/2016.
Recommendation: Expedited approval.
Commission approved on 7/18/2016.
COMMISSION ACKNOWLEDGED.
- b. Granite State Brewers Association, Arms Park, 10 Arms Street, Manchester, NH 03101.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 7/30/2016.
Recommendation: Expedited approval.
Commission approved on 7/21/2016.
COMMISSION ACKNOWLEDGED.
- c. Historical Society of Cheshire County, Wyman Tavern Museum, 339 Main Street, Keene, NH 03431.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 7/30/2016.
Recommendation: Expedited approval.
Commission approved on 7/18/2016.
COMMISSION ACKNOWLEDGED.

- d. Opera North, Colburn Park, Lebanon, NH 03766.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor Licenses pursuant to RSA 178:22, V(l).
Event dates: 7/29 & 31/2016.
Recommendation: Expedited approval.
Commission approved on 7/21/2016.
COMMISSION ACKNOWLEDGED.
- e. Project Sunapee, Town of Sunapee, River Road, Sunapee, NH 03782.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 7/31/2016.
Recommendation: Expedited approval.
Commission approved on 7/21/2016.
COMMISSION ACKNOWLEDGED.

17. LATE ITEM FOR COMMISSION APPROVAL:

Moonlight Meadery LLC, 23 Londonderry Road #17, Londonderry, NH plans to seek a combination conditional licensure to add a beverage manufacturer license at their wine manufacturing location. Prior to applying for the new license they are petitioning the commission for exceptions to requirements under administrative rules Liq. 707.05 & Liq. 706.08.
COMMISSION TABLED.